



01-23-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hidekazu Tanigawa et al.

Serial No. 09/283,938

Filed: 04/01/1999

For: DATA COMMUNICATION
SYSTEM, DATA
TRANSMITTING APPARATUS,
AND DATA RECEIVING
APPARATUS

Examiner: Son P. Huynh

Group Art Unit: 2611

January 21, 2004

Irvine, California 92614

RECEIVED

JAN 27 2004

OFFICE OF PETITIONS

RECEIVED

MAR 24 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

PETITION TO REVIVE ABANDONED APPLICATION UNDER 37 CFR 1.181

RECEIVED

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

JAN 30 2004

Technology Center 2600

Dear Sirs:

Applicants hereby petitions to revive the above patent application from abandonment. The parent application was allowed and applicant filed an RCE application on January 17, 2003 to insure additional prior art was made of record. Applicant did not receive another document nor phone call (except the postcard receipt for the RCE) until receiving the Notice of Abandonment. Applicant did not want this allowed application to go abandoned.

Applicants received a Notice of Abandonment dated 01/15/2004, stating that the abandonment of the application resulted in the applicants' failure to timely respond to the Office Action mailed 02/27/2003.

As set forth in the attached Declaration of Candy L. Neu, Applicants did not receive the Office Action mailed by the USPTO on 02/27/2003.

The undersigned attorney merged his practice into SNELL & WILMER LLP, in November 2002. A U.S. Postal Forwarding Address order was on file with the U.S. Postal Service, since November 2002. Since then we filed a Change of Correspondence Address for this patent application.

Since applicant did not receive the Office Action, the abandonment was not applicants' fault. It is requested that this application be revived and the Office Action be mailed to the undersigned for response. Applicant, respectfully requests that the fees associated with this petition to revive the above-identified patent application, be waived.

If any fees are due, please charge our Deposit Account No. 19-2814.

If there are any questions with regard to this matter, please contact the undersigned attorney at the listed telephone number.

I certify that this document and fee is being deposited on **January 21, 2004** with the U.S. Postal Service "Express Mail Post Office to Addressee" service as Express Mail No. EV 390088307 US under 37C.F.R. 1.10 and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By: James Lee

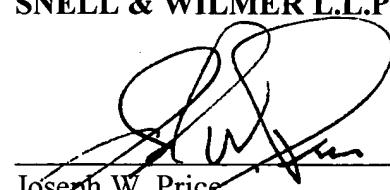


Signature

Dated: January 21, 2004

Very truly yours,

SNELL & WILMER L.L.P.



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